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REMARKS

Claims 1-11 are currently pending in the above-identified patent application. In the subject Office Action, claims 4 and 5 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention, since the Examiner stated that claim 4 recites the limitation "said second transmittable format" in line 5, and there is insufficient antecedent basis for this limitation in the claim. Applicants wish to thank the Examiner for having pointed out this error, and have amended claim 4 in accordance with the Examiner's request. No new matter has been added by these changes, since applicants have simply corrected an obvious typographical error.

Claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca et al. (U.S. Patent No. 6,088,796), hereinafter Cianfrocca, in view of Ananian et al. U.S. Patent Number 6,922,701, hereinafter Ananian, since the Examiner stated that regarding claim 1, Cianfrocca discloses a method of managing data in a plurality of disparate and diverse databases comprising: providing a first database located in a first location and further being located behind a first firewall; providing a second database located in a second location and further being behind a second firewall; providing a clearinghouse server located outside of said first firewall and said second firewall, said clearinghouse server having a clearinghouse database; providing a workstation located behind said first firewall (The Examiner took further note that the communication between the User Agent and messenger system server will be across the firewall, which implies that the workstations are also behind the firewall.), said workstation having a clearinghouse interface program; establishing communications between said clearinghouse interface program with said clearinghouse server.

The Examiner continued that Cianfrocca does not explicitly teach indexing CAD data from the databases, transmitting a request for a requested file, determining the location of said requested file, sending a request to a second database for said file, converting said file to a transmittable format, or transmitting said file, whereas, the Examiner proffered that Ananian discloses a method and

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system for managing CAD data filed (Col. 2, lines 43-47 of Ananian, including: a clearinghouse database comprising an index to at least a portion of CAD data in first database and at least a portion of CAD data in second database (Fig. 1, Col. 9 and Col. 11, lines 19-23 and 4-8, respectively, of Ananian); transmitting a request for a requested file from said clearinghouse interface program to said clearinghouse server (Col. 13, lines, 14-30 of Ananian); determining that said requested file is located in said second database by using said clearinghouse database (Col 14, lines 2-4 of Ananian, which further discloses entering zip code or country (location) and other topics of the specific item); sending a request from said clearinghouse server to said second database for said requested file (Col. 14, lines 35-38 of Ananian); converting said requested file to a first transmittable format (Col 8, lines 4-10 of Ananian); and transmitting said requested file from said second database in said first transmittable format (Col. 20, lines 1-6 of Ananian), emphasis added by applicants.

The Examiner then concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Ananian's functionality for sending and converting a CAD file to the system and method of Cianfrocca to let users manipulate, modify, and update different CAD format files. Further, the Examiner concluded that one of ordinary skill in the art at the time the invention was made would have been motivated to do so, in order to improve interaction between the client and the professionals throughout the construction process; to ensure consistent and informed client input, cost-effective decisions, while maintaining the client's visionary perspective (Col. 2, lines 10-17 of Ananian).

Applicants respectfully disagree with the Examiner concerning the rejection of claim 1 for the reasons to be set forth hereinbelow.

Regarding claim 7, the Examiner stated that: Cianfrocca/Ananian disclose a system for sharing files across disparate databases comprising: a first server located behind a first firewall and connected to a first database that contains a first set of files; a second server located behind a second firewall and connected to a second database that contains a second set of files; a clearinghouse server located outside of said first firewall and said second firewall; a clearinghouse database

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located on said clearinghouse server and having an index to at least a portion of said first set of files in said first database and at least a portion of said second set of files in said second database (Fig. 1; Col. 11, lines, 4-8, of Ananian); a workstation located behind said first firewall (The Examiner further asserted that Cianfrocca discloses that the communication between the User Agent and Messenger System Server will be across a firewall which further implies that the workstations are behind the firewall) and having a clearinghouse interface program capable of interfacing with said clearinghouse database on said clearinghouse server (The Examiner also asserted that these components run in workstations with an interface.), said clearinghouse interface program further being capable of sending a request for a specific file indexed in said clearinghouse database (Col. 13, lines 14-26, of Ananian); said clearinghouse server further receiving said request for said specific file from said workstation (Col. 13, lines 29-30 of Ananian), determines that said specific file is located in said second database (Column 14, lines 2-4, of Ananian which the Examiner stated further discloses entering zip code or country (location) and other topics of the specific item requested, and implies locating the requested item in a specific database (Col. 14; Table 1, lines 23 and 27 of Ananian).), and sends said request for said specific file to said second server (Col. 14, lines 35-38 of Ananian); and said second server further receives said request for said specific file (Col. 7, lines 39-41 of Ananian), locates said specific file in said second database (Col. 7, lines 65-67, of Ananian), converts said specific file into a first transmittable format (Col. 8, lines 4-10 of Ananian), and sends said specific file (Col. 20, line 1-6 of Ananian), emphasis added by applicants.

Applicants respectfully disagree with the Examiner concerning this ground of rejection of claim 7 for the reasons to be set forth hereinbelow.

The Examiner has rejected dependent claims 2-6 and 8-11 which depend from independent claims 1 and 7, respectively. Since applicants believe that claims 1 and 7 are patentable over Cianfrocca in view of Ananian for the reasons to be set forth hereinbelow, applicants believe that no response is required concerning dependent claims 2-6 and 8-11.

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Turning now to the rejection of claims 1 and 7 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, the preamble of claim 1 recites in part: "A method of managing CAD data in a plurality of disparate and diverse databases ...," while that for claim 7 recites in part: "A system for sharing files across disparate databases"

The Abstract of Ananian recites: "A method for generating an interactive profile of a structure, such as a building, employing an interactive profile system ... A plan set, usually in a CAD format, is received into the interactive profile system, typically submitted by the user or client. ... The plan set is converted to a profile data set by the profiling engine. ... The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical descriptions of the plan set. ... The user directs a profile query to the application engine of the interactive profile system."

Column 4, lines 57-60 of Ananian states: "The generation of the interactive, enhanced profile database 40 is a key element of the present invention. To begin the formulation of the enhanced profiles, a plan set 50 is received into the interactive profile system 10." In Col. 6, lines 39-46, of Ananian it is stated: "For the present invention, the enhanced data protocol is an internally standardized profile database format that enables the plan set 50 to be expanded and utilized by the interactive profile system 10. ... The plan set is converted to the standardized data set by the profiling engine 30 of the interactive profile system." (emphasis added by applicants). Column 13, lines 15-37 recite: "The user 25 can direct a profile query 177 to the application engine 20 of the interactive 16 profile system 10, as shown in FIG. 1. The term "query" is broadly interpreted to include requests to modify records of the enhanced profile database. ... Therefore, the term "query" can also apply to an inquiry into the enhanced profile database, relating to a specific component or to the interrelationship between one or more building components. The application engine 20 responds to the profile query 177 with a profile response 178. The profile response includes a listing of at least one of the plurality of interrelated elements of the enhance profile database 40. These interrelated elements can be associated, related or grouped in any report format that the user

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25 requires. The profile response to the profile query is sent to the user, preferably over the Internet to the web browser of the user." Column 14, lines 34-44, state: "After the application engine 20 receives the profile query 177 from the user 25, the application engine then generates a search based upon the profile query. The profile query may be a request for a listing of component or a "what if" request. The application engine preferably transmits to profile results 178 of the profile query in the form of a report. If, however, the user 25 submits a profile query 177 that modifies a record 170, as would be performed if the user requires or desires a change to a component of the project 130, a data set revision 120 order can be generated by the application engine 20, as shown in FIG. 1." (emphasis added by applicants). Thus, in the principal embodiment of the invention of Ananian, the user receives a report from the interactive profiling system in response to a user inquiry. Moreover, the user's original plan is converted to a standardized data set, which may be very different from what was originally submitted by the user.

In Col 20, lines 2-11, of Ananian it is stated that: "As an alternative embodiment of the present invention, the interactive profiling system 10 can export the profiled plan set 50, preferably in CAD format, so that the user 25 can call up the plan from within a profile manager if they ever need to review it for future projects. After subscribing the interactive profiling system, the user can access any user-submitted plan set 50, which are all available in CAD format, or any other appropriate format, for export. The exported CAD file can also be helpful to the builder during the project management phase." If the user wishes, the profiled plan set 50 may be sent to the user. This plan is not plan set 50, originally sent by the user. Subject claims 1 and 7 recite that the user is sent a requested file converted into transmittable form, not one that is "profiled" as required by the teachings of Ananian.

Thus, since the user cannot manage CAD data in a plurality of disparate and diverse databases (subject claim 1) or share files across disparate databases (subject claim 7), applicants believe that Ananian clearly teaches away from the present claimed invention. As a result, Ananian cannot properly be combined with

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Cianfrocca as the Examiner has done, and the Examiner has failed to make a proper *prima facie* case of obviousness as is required under 35 U.S.C 103(a).

In view of the discussion presented hereinabove, applicants believe that subject claims 1-11, as amended, are in condition for allowance, and such action by the Examiner at an early date is earnestly solicited.

Reexamination and reconsideration are respectfully requested.

Respectfully submitted,

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